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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2762 OF 2006

Anil Jiyaram Tripathi ... Petitioner

Vs.

State of Maharashtra & Ors. ... Respondents

Mr. Asif Ali Siddique for the petitioner.

Ms. A.S. Pai, A.P.P. for the State.

CORAM : SMT. RANJANA DESAI & ANOOP V. MOHTA, JJ.

DATED : 6TH MARCH, 2007.

P.C.:-

1. By this petition, the petitioner has prayed for quashing of FIR No.223 of 2006 registered with the Vakola Police Station.

2. We have heard Mr. Siddique, the learned counsel appearing for the petitioner. He states that the FIR is false and concocted and, hence, deserves to be quashed. We have perused the FIR. We are unable to come to the conclusion that, prima facie, the FIR does not disclose any offence, at all. Ms. Pai, the learned A.P.P. informs us that the charge sheet is already

filed on 29/9/2006. In our opinion, this is not a case where this court should interfere. The petitioner may approach the trial court if he so desires with appropriate application in accordance with law now that the charge sheet is filed. The petition is rejected.

3. We make it clear that we have not expressed any final opinion on the merits of the case or on the petitioner's claim for compensation.

[SMT. RANJANA DESAI, J.]

[ANOOP V. MOHTA, J.]